

**PLANNING BOARD**  
**Meeting Minutes**  
**Tuesday, August 2, 2011**  
**Town Hall, 120 Main Street**  
**7:00 PM**

1 Present: T. Seibert, R. Glover, J. Simons, M. Colantoni

2 Absent: R. Rowen

3 Staff Present: J. Tymon, J. Enright

4 Meeting began at 7:00pm.

5 There will be no Planning Board meeting on August 16, 2011. The next meeting will be the first Tuesday  
6 in September.

7 **POSTPONEMENTS**

8 CONTINUED PUBLIC HEARING: 0 Methuen Street, Single lot Definitive Subdivision

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10 **PUBLIC HEARINGS**

11 CONTINUED PUBLIC HEARING: 1679 Osgood Street, Definitive Subdivision for 9 single-family  
12 residential lots, common driveway, and frontage exception special permits.

13 J. Tymon: Applicant has decided to continue until the next meeting. There is a continuance signed  
14 through the end of September for this project.

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16 CONTINUED PUBLIC HEARING: 401 Andover Street, Renewal for a Wireless Special Permit.

17 J. Tymon: There is a draft Decision. The applicant would like to ask the Board for some potential  
18 changes to the Decision. There was a court judgment for 401 Andover Street that states the carrier does  
19 not have to comply with the requirement for annual reports.

20 Carl Gehring: On behalf of Verizon, Requested that the language in the Decision be amended so that if  
21 the Bylaw changes the Decision is tied to the revised Bylaw language.

22 **MOTION**

23 A motion was made by R. Glover to close the Public Hearing for 401 Andover Street. The motion was  
24 seconded by T. Seibert. The vote was unanimous.

25 Draft Decision was reviewed and amended.

26 **MOTION**

27 A motion was made by T. Seibert to approve the application of Bell Atlantic Mobile at 401 Andover  
28 Street, as amended this evening. The motion was seconded by M. Colantoni. The vote was unanimous.

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30 CONTINUED PUBLIC HEARING: 5 Boston Hill (a/k/a 5 Boston Street), Renewal for a Wireless  
31 Special Permit.

32 **MOTION**

33 A motion was made by R. Glover to close the Public Hearing for 5 Boston Street. The motion was  
34 seconded by T. Seibert. The vote was unanimous.

35 Draft Decision was reviewed and amended.

36 J. Tymon: This one does have the requirement for the annual reports. The three year term is also stated  
37 but can be changed to tie it to the Bylaw.

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39 **MOTION**

40 A motion was made by T. Seibert to approve the application of Bell Atlantic Mobile at 5 Boston Street, as  
41 amended. The motion was seconded by M. Colantoni. The vote was unanimous.

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**CONTINUED PUBLIC HEARING:** 140 Academy Road, Application for a Land Disturbance Permit in connection with proposed construction of five detached single-family homes to be located on Stevens Street.

J. Tymon: The applicant has responded to all of the comments in L. Eggleston's last review dated July 14, 2011. An updated plan has been received which will be reviewed tonight.

J. Fairweather: Engineer from Andover Consultants, Reviewed the locations of the swales that have been added to the plans.

J. Tymon: There are two outstanding issues. The first is that L. Eggleston asked that the pipe under the existing culvert that empties onto 0 Chestnut Street be expanded. G. Willis reviewed this request and it is fine with him. The applicant has agreed to expand the pipe if the Town is ok with it. The second issue is that there is a drainage easement required that has not been received yet. There is a condition in the draft Decision regarding the easement.

Tom Patenaude: Applicant, Will be meeting with the property owner of 0 Chestnut Street, Jonathon Stevens, in the morning to discuss the drainage easement. Believes it is not an issue and the easement will be completed.

J. Simons: Does any area of the property come under the slope Bylaw?

J. Tymon: Did discuss this issue with the Project Engineer previously.

J. Fairweather: There are areas where the Bylaw would have applied for the slope but they didn't meet the length requirement. It has to be a 3:1 slope and a length of thirty feet. There aren't any areas where it was thirty feet. A computer generated plan has been submitted to J. Tymon and reviewed.

**MOTION**

A motion was made by R. Glover to close the Public Hearing for 140 Academy Road, Land Disturbance Permit. The motion was seconded by T. Seibert. The vote was unanimous.  
Draft Decision was reviewed and amended.

**MOTION**

A motion was made by T. Seibert to approve the Land Disturbance Permit for 140 Academy Road, as amended this evening. The motion was seconded by M. Colantoni. The vote was unanimous

**CONTINUED PUBLIC HEARING:** 350 Great Pond Road, Application for a Watershed Special Permit to construct an addition to an existing home and a new garage.

J. Tymon: Applicant has decided to continue until the next meeting. There is a continuance signed through the end of October for this project.

**DISCUSSION**

T-Mobile, 5 Boston Hill: Wireless Installation 1997 (Prior to Bylaw) request to add equipment.

J. Tymon: This is a pre-application meeting. There is a wireless facility that is pre-existent to the Bylaw being enacted and we have no record of a special permit. T-Mobile would like to add some equipment.

Justine Twofoot: Representing T-Mobile, Currently T-Mobile has antennas on the outside of the structure. They would like to install one additional cabinet within their leased space on the fourth floor of the building. The cabinet to be installed will be on the inside and nothing will be touched on the outside of the building. The technology is already there. By installing the cabinet we will have increased capacity so more T-Mobile users will be able to link onto that specific T-Mobile site. This will provide better service for the customers.

J. Simons: Recommended J. Tymon asks Attorney Tom Urbelis for guidance.

**MEETING MINUTES:** Approval of July 19, 2011 meeting minutes.

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**MOTION**

A motion was made by T. Seibert to approve the meeting minutes for July 19, 2011. The motion was seconded by R. Glover. The vote was unanimous.

**ADJOURN**

**MOTION**

A motion was made by M. Colantoni to adjourn the meeting. The motion was seconded by R. Glover. The vote was unanimous.

The meeting adjourned at 7:40pm.

MEETING MATERIALS: Agenda, Draft Decisions---140 Academy Road, 5 Boston Hill, and 401 Andover Street, Letter dated July 26, 2011 from James S. Fairweather II, P.E. regarding Academy Road, Sewer Plan and Profiles and Lot Grading Plan for Stevens Street, Tomas J. Urbelis letter dated July 29, 2011 regarding David P. Keating, ET AL. V. North Andover Planning Board Civil Action No. 10-998B, Chapter 160 Stormwater Management § Erosion Control Bylaw (pg 1 & 2), Meeting minutes for July 19, 2011.